

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION

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**PARTIES TO DISPUTE:**

**BROTHERHOOD OF SLEEPING CAR PORTERS**  
**CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC RAILROAD**  
**COMPANY**

**STATEMENT OF CLAIM:** \* \* \* for and in behalf of W. Griffin, who is now, and for some time past has been, employed by the Chicago, Milwaukee, St. Paul & Pacific Railroad Company as a porter operating out of Chicago, Illinois.

Because the Chicago, Milwaukee, St. Paul & Pacific Railroad Company did, under date of June 26, 1953, take disciplinary action against Porter Griffin as follows:

"\* \* \* your historical record is being marked as follows:

1. Responsible for failure to properly perform your assigned duties of maintaining the cleanliness of the coaches in your charge dis-regarding rules 70 - 71 - 73 - and - 74.
2. Responsible for occupying coach seats and sleeping during service hours."

Which action was based upon charges unproved, and was unjust, unreasonable, arbitrary, and in abuse of the Company's discretion.

And further, for the record of Porter Griffin to be cleared of the charge in the instant case, and for the notation on his historical record to be expunged.

**OPINION OF BOARD:** In the particular circumstances in this case and without prejudice to the obligation upon employees to comply with and obey rules, claimant's record will be cleared of the charges against his record herein.

**FINDINGS:** The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon, and upon the whole record and all the evidence, finds and holds:

That the Carrier and the Employees involved in this dispute are respectively carrier and employees within the meaning of the Railway Labor Act, as approved June 21, 1934;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein; and

That in accordance with Opinion, claimant's record will be cleared of the charges in this particular case.

AWARD

Claim disposed of in accordance with Opinion and Findings.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST: (Sgd.) A. Ivan Tummon  
Secretary

Dated at Chicago, Illinois, this 11th day of October, 1954.